

ZB# 01-17

Maria DeFazio

80-1-15

Prelim.

June 11, 2001.

Motion for Public
Hearing granted

Public Hearing:

June 25, 2001.

Area Variance

Granted

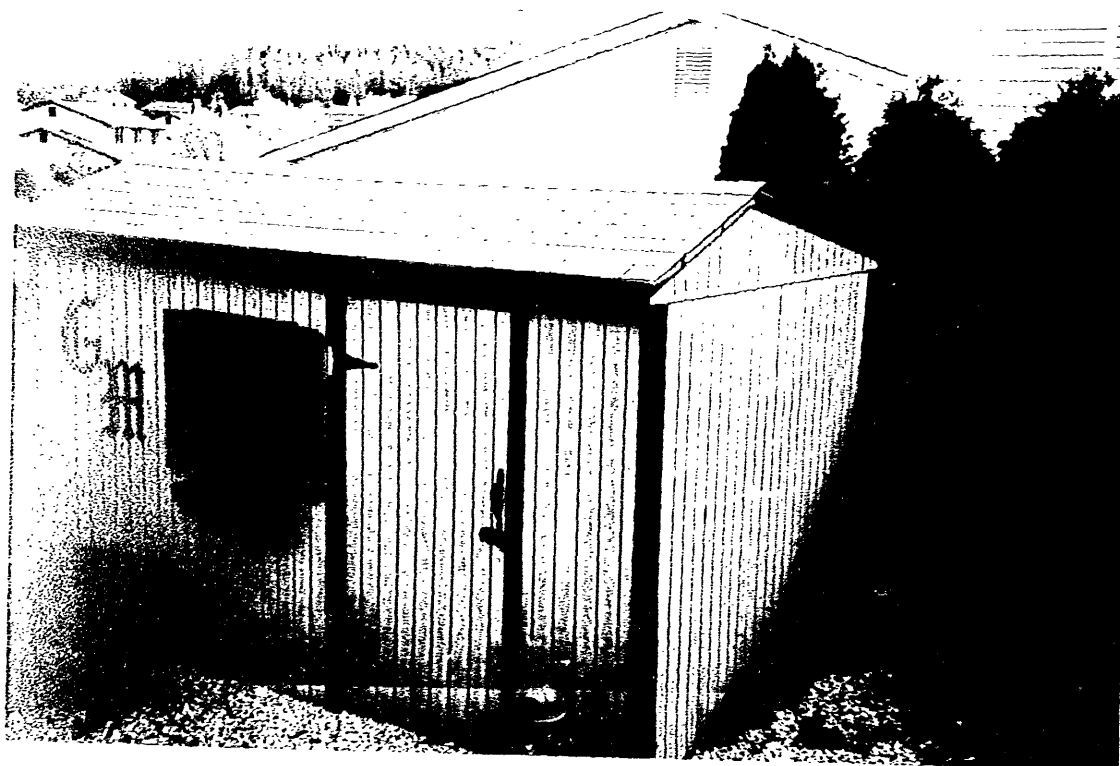
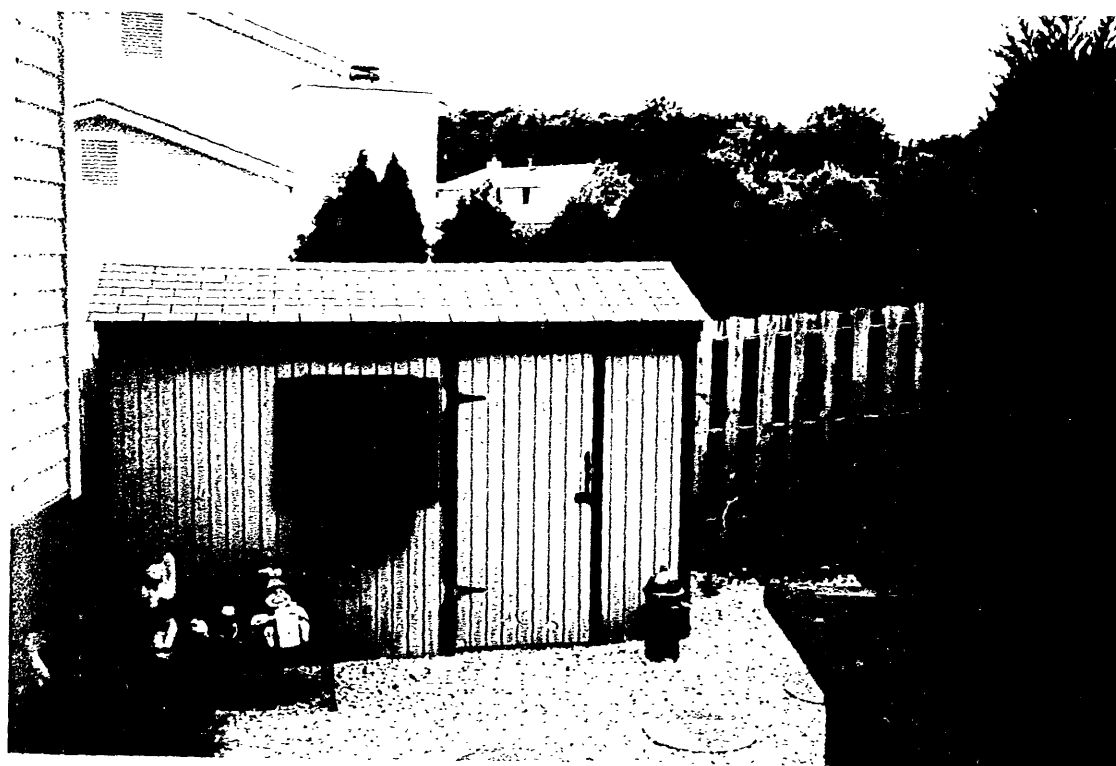
Refund:

\$ 207.50

#01-17 DeFazio, Maria

(Area)

80-1-15.



APPLICATION FEE (DUE AT TIME OF FILING OF APPLICATION)

APPLICANT: DeFazio, Maria

FILE# 01-17

RESIDENTIAL: \$50.00
INTERPRETATION: \$150.00

COMMERCIAL: \$150.00

AREA X

USE _____

APPLICATION FOR VARIANCE FEE \$ 50.00

Paid 6/12/01 #5211

ESCROW DEPOSIT FOR CONSULTANT FEES \$ 300.00

#5212 Paid.

DISBURSEMENTS:

STENOGRAPHER CHARGES: \$4.50 PER PAGE

PRELIMINARY MEETING-PER PAGE 6/11/01-3... \$ 13.50.
2ND PRELIMINARY- PER PAGE 6/25/01-2... \$ 9.00.
3RD PRELIMINARY- PER PAGE \$ _____
PUBLIC HEARING - PER PAGE \$ _____
PUBLIC HEARING (CONT'D) PER PAGE \$ _____

TOTAL \$ 22.50

ATTORNEY'S FEES: \$35.00 PER MEETING

PRELIM. MEETING: 6/11/01 \$ 35.00
2ND PRELIM. 6/25/01 \$ 35.00
3RD PRELIM. \$ _____
PUBLIC HEARING. \$ _____
PUBLIC HEARING (CONT'D) \$ _____

TOTAL \$ 70.00

MISC. CHARGES:

..... \$ _____

TOTAL \$ 92.50

LESS ESCROW DEPOSIT \$ 300.00.
(ADDL. CHARGES DUE) \$ _____
REFUND DUE TO APPLICANT .. \$ 207.50.

Date 7/11/01,

TOWN OF NEW WINDSOR

**TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553**

TO Maria DeFazio DR.
326 Butternut Dr., N.W.

[illegible]

5212

50-235/219

GAIL E. STEINHEIMER
MARIA S. DEFAZIO
LIC. 799 756 470
326 BUTTERNUT DRIVE
NEW WINDSOR, NY 12553

Date June 12, 2001

Pay to the Order of Town of New Windsor
Three hundred and 00/100

\$ 300.00/100

Dollars

THE BANK OF NEW YORK
NEW WINDSOR, NEW YORK 12553

Maria S. Defazio

Chk 26A # 01-17

⑆021902352⑆ ⑈6809104492⑈ 5212

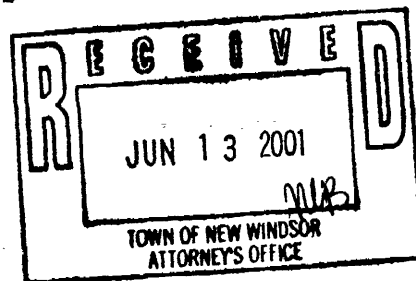
ARTISTIC CHECKS • 1-800-224-7621 • PREVIOUS PERMITS

ARTISTIC CHECKS INC.

ZBA #01-17

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611

RECEIPT
#550-2001



06/12/2001

Steinheimer, Gail E.

Received \$ 50.00 for Zoning Board Fees on 06/12/2001. Thank you for stopping by the Town Clerk's office.

As always, It is our pleasure to serve you.

Deborah Green
Town Clerk

GAIL E. STEINHEIMER
MARIA S. DEFAZIO
LIC. 799 756 470
326 BUTTERNUT DRIVE
NEW WINDSOR, NY 12553

5211

50-235/219

Date June 12, 2001

Pay to the order of Town of New Windsor \$ 50.00
fifty and 00/100 Dollars

THE BANK OF NEW YORK
NEW WINDSOR, NEW YORK 12553

For ZBA #01-17. Maria S. Defazio
⑆021902352⑆ ⑆6809104492⑆ 5211

ARTISTIC CHECKS - 1 800 224 7621 - PRECIOUS PORTRAITS

In the Matter of the Application of
MARIE DEFAZIO

MEMORANDUM OF DECISION
GRANTING AREA VARIANCE

#01-17.

- **WHEREAS, MARIE DE FAZIO**, 326 Butternut Drive, New Windsor, New York 12553, has made application before the Zoning Board of Appeals for a 9 ft. side yard for an existing shed located on the above parcel in a CL-1 zone; and

WHEREAS, a public hearing was held on the 25th day of June, 2001 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, Applicant appeared for this Application; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS, none of the spectators spoke in favor of or in opposition to this Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and in The Sentinel, also as required by law.

2. The evidence presented by the Applicant showed that:

(a) The property is a residential property consisting of a one-family home located in a neighborhood containing one-family homes.

(b) Applicant seeks a variance for an existing shed on the premises

(c) The shed is constructed on a foundation permanently affixed to the ground.

(d) The shed has been in existence for 3 years during which time there have been no complaints, either formal or informal, about the shed.

(e) The shed does not create any water hazards, ponding or collection of water.

(f) The shed is not on top of nor does it interfere with any water or sewer easements.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.

2. There is no other feasible method available to the Applicant which can produce the benefits sought.

3. The variance requested is substantial in relation to the Town regulations but nevertheless are warranted for the reasons listed above.

4. The requested variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.

5. The difficulty the Applicant faces in conforming to the bulk regulations is self-created but nevertheless should be allowed.

6. The benefit to the Applicant, if the requested variance is granted, outweigh the detriment to the health, safety and welfare of the neighborhood or community.

7. The requested variance is appropriate and is the minimum variance necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

8. The interests of justice will be served by allowing the granting of the requested area variance.

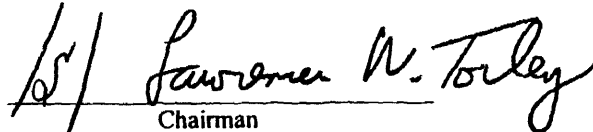
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a 9 ft. side yard variance for an existing shed at the above location in a CL-1 zone as sought by the Applicants in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and Applicants.

Dated: August 13, 2001.


Chairman

ZONING BOARD OF APPEALS:TOWN OF NEW WINDSOR
COUNTY OF ORANGE:STATE OF NEW YORK

In the Matter of the Application for Variance of

Maria DeFazio

**AFFIDAVIT OF
SERVICE
BY MAIL**

01-17.

STATE OF NEW YORK)
) SS.:
COUNTY OF ORANGE)

PATRICIA A. CORSETTI, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at 7 Franklin Avenue, New Windsor, N. Y. 12553.

That on the 13 day of May, 2001, I compared the 71 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor regarding the above application for a variance and I find that the addresses are identical to the list received. I then caused the envelopes to be deposited in a U.S. Depository within the Town of New Windsor.

Patricia B. Corsetti

Notary Public

Sworn to before me this

____ day of _____, 20____.

Notary Public

Date 7/7/01

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

TO Frances Roth DR.
168 N. Drury Lane
Newburgh, N.Y. 12550

DATE

CLAIMED

ALLOWED

7/20/01	Zoning Board Mtg	75.00		
	Misc - 4			
	Steiner - 1			
	Misecki - 6			
	Maldonado - 2			
	Lorgan - 2			
	Mucci - 2			
	Bila - 3			
	Pecerno - 2			
	Marshall - 7			
	Hofving - 3			
	Lawrence/Lorenzen - 11			
	DeFazio - 2			
	Thomas - 2	220.50		
	Morris - 2	295.50		
	<u>49</u>			

DEFAZIO, MARIE

Ms. Marie Defazio appeared before the board for this proposal.

MR. TORLEY: Request for 9 ft. side yard variance for existing shed at 326 Butternut Drive in a CL zone.

MS. CORSETTI: We sent out 71, on May 13, we sent out 71 notices to adjacent property owners.

MR. TORLEY: Is there anyone in the audience who wishes to speak on this matter besides the applicant? Let the record show no one in the audience is interested in this particular issue. Okay, so what do you want to do?

MS. DEFAZIO: I have an existing shed on my property and I need it because it's up against my fence, it's a foot away from my fence.

MR. KANE: How long has the shed been there?

MS. DEFAZIO: About three years.

MR. MC DONALD: Other sheds in the area just like the one you have?

MS. DEFAZIO: Yes, if you're familiar with Butterhill, yeah.

MR. TORLEY: Is the shed on concrete or is that shed just sitting on the ground or on concrete?

MS. DEFAZIO: No, it's on cinderblock and then the floor.

MR. KANE: So moving that would be a considerable expense?

MS. DEFAZIO: Yes.

MR. MC DONALD: You haven't had any complaints?

MS. DEFAZIO: No.

MR. KANE: Formally or informally?

MS. DEFAZIO: No.

MS. DEFAZIO: In fact, they said it was a nice looking shed.

MR. TORLEY: And part of the, your lot is somewhat oddly shaped that makes the relocation of the shed difficult?

MS. DEFAZIO: Yes.

MR. TORLEY: You're not altering the drainage or interfering with any easements?

MS. DEFAZIO: No.

MR. KANE: Not recreating any kind of water hazards?

MS. DEFAZIO: No.

MR. MC DONALD: I move that we grant Marie Defazio's request for 9 foot side yard variance for existing shed at 326 Butternut Drive.

MR. REIS: Second it.

ROLL CALL

MR. RIVERA	AYE
MR. MCDONALD	AYE
MR. REIS	AYE
MR. KANE	AYE
MR. TORLEY	AYE

Date 7/7/01

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

TO Frances Roth DR.
168 N. Drury Lane
Newburgh, N.Y. 12550

DATE			CLAIMED	ALLOWED
6/11/01	Zoning Board mty		75 00	
	Misc. - 2			
	Bibles - 3			
	DeFazio - 3 13.50			
	Mirecki - 6			
	Lawrence Lorenzen - 3			
	Lorgan - 3			
	Bittles - 4			
	Thomas - 3			
	Morris - 7			
	Zupitza - 4			
	38		171 00	
			246 00	

DEFAZIO, MARIE

MR. TORLEY: Request for 9 foot side yard variance for existing shed at 326 Butternut Drive in a CL zone.

Ms. Marie Defazio appeared before the board for this proposal.

MR. TORLEY: And you have an existing shed?

MS. DEFAZIO: Yes.

MR. TORLEY: It's one foot off the property line?

MS. DEFAZIO: It's one foot from my fence, not the property line.

MR. TORLEY: How far is your fence from the property line?

MS. DEFAZIO: About five feet. But they said I was supposed to say from my fence.

MR. TORLEY: No, it's from your property line.

MS. DEFAZIO: Even though I have a fence there and my property line --

MR. McDONALD: It doesn't make any difference.

MR. TORLEY: Unless that's that common area.

MR. McDONALD: Yeah, they've got an easement area in there that's ten foot.

MR. TORLEY: So you can't count that easement area.

MS. DEFAZIO: Okay.

MR. TORLEY: So, you have the shed, the fence, and the rest of your property is actually the easement.

MS. DEFAZIO: No, I just came in with my --

MR. TORLEY: Oh, you're moving your fence in?

MS. DEFAZIO: Yeah, I'm just moving it in.

MR. TORLEY: It's from the property line?

MR. BABCOCK: Yeah, it's from the property line.

MR. McDONALD: You already have the shed there; right?

MS. DEFAZIO: Yes, sir.

(Mr. Kane and Mr. Reis arrived.)

MR. TORLEY: Does it create any kind of an obstacle to other people, over any sewer, electric lines, anything like that, or anything that go through that easement?

MS. DEFAZIO: No, nothing.

MR. McDONALD: Are there other sheds in the area that look something like the one you have?

MS. DEFAZIO: Yes.

MR. TORLEY: Is it practical just to move the shed?

MS. DEFAZIO: I can't. The way I have my back yard landscaped, I have the trees there. I have it right against the tree inside my property.

MR. TORLEY: When you come back for your public hearing, assuming one is granted, please bring photographs of where it is so we can get some idea.

MS. DEFAZIO: Well, I have some pictures.

MR. TORLEY: We don't need them today.

MS. DEFAZIO: Okay.

MR. TORLEY: Again, it's not over any sewer easements or green space easements on that property?

MS. DEFAZIO: No.

MR. TORLEY: And your neighbors have similar kinds of sheds?

MS. DEFAZIO: Yes.

MR. McDONALD: Accept a motion?

MR. TORLEY: Yes.

MR. McDONALD: I make a motion we set Ms. Defazio up

for a public hearing on the 9 foot side yard variance.

MR. TORLEY: Wait. Please check on the number that you need. We might as well let it stay at nine feet. One of the things that will happen is, please be careful with your measurements. We're trusting you for the numbers. If you come in asking for a four foot variance and it turns out that you needed a four foot six inch variance, the bank can catch that on refinancing and you'll have to start all over from scratch.

MR. BABCOCK: You're saying that your fence is five foot from the property line?

MS. DEFAZIO: Well, when they put up the fence, it kind of went down a little bit, so they brought my fence up. And in between, I mean, I maintain that, okay, and my neighbor has, like, these huge pine trees, you know, that run through there.

MR. KANE: Larry is just making sure that you have enough so that you don't have to go through this again. So you want to double check your facts before you go to the public hearing.

MR. BABCOCK: She's got more than enough.

MR. TORLEY: So we have a motion on the floor. Has that been seconded?

MR. McDONALD: Second.

ROLL CALL

MR. RIVERA	AYE
MR. McDONALD	AYE
MR. REIS	AYE
MR. KANE	AYE
MR. TORLEY	AYE



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4631
Fax: (845) 563-4693

Assessors Office

May 7, 2001

71

Maria S. DeFazio
326 Butternut Drive
New Windsor, NY 12553

Re: 80-1-15

Dear Ms. DeFazio:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$95.00, minus your deposit of \$25.00.

Please remit the balance of \$70.00 to the Town Clerk's Office.

Sincerely,

Leslie Cook
Sole Assessor

LC/lrd

CC: Pat Corsetti, ZBA

80-1-1 ✓
Kenneth Louis Jeune ✓
Madeline Monroig ✓
215 Butterhill Drive
New Windsor, NY 12553

80-1-2 ✓
Maureen Mullin ✓
Alan Scheck ✓
213 Butterhill Drive
New Windsor, NY 12553

80-1-3 ✓
John Weber ✓
211 Butterhill Drive
New Windsor, NY 12553

80-1-4 ✓
Andrew & Carol Elstob ✓
209 Butterhill Drive
New Windsor, NY 12553

80-1-5 ✓
Joseph & Lydia Hart ✓
207 Butterhill Drive
New Windsor, NY 12553

80-1-6 ✓
Samir & Dimple Patel ✓
205 Butterhill Drive
New Windsor, NY 12553

80-1-7 ✓
Michael & Karen Pospisil ✓
203 Butterhill Drive
New Windsor, NY 12553

80-1-8 ✓
James & Maureen Noble ✓
340 Butternut Drive
New Windsor, NY 12553

80-1-9 ✓
Anthony Wandell ✓
338 Butternut Drive
New Windsor, NY 12553

80-1-10 ✓
Michael & Lorene Malec ✓
336 Butternut Drive
New Windsor, NY 12553

80-1-11 ✓
Farrel & Heidi Tannenbaum ✓
334 Butternut Drive
New Windsor, NY 12553

80-1-12 ✓
Mark & Nicole Owens ✓
332 Butternut Drive
New Windsor, NY 12553

80-1-13 ✓
Michael & Nancy Bell ✓
330 Butternut Drive
New Windsor, NY 12553

80-1-14 ✓
Anthony & Venus Sanchez ✓
328 Butternut Drive
New Windsor, NY 12553

80-1-16 ✓
Boris & Christina Lonkewycz ✓
33 Guernsey Drive
New Windsor, NY 12553

80-1-17 ✓
William & Kathleen Vacca ✓
PO Box 4013
New Windsor, NY 12553

80-1-18 ✓
Mark Sr. & Maria Woinicki ✓
96 Guernsey Drive
New Windsor, NY 12553

80-1-19 ✓
Richard & Lisa Dewsnap ✓
94 Guernsey Drive
New Windsor, NY 12553

80-1-20 ✓
Louis Hernandez ✓
Iris Cordero-Hernandez
92 Guernsey Drive
New Windsor, NY 12553

80-1-21 ✓
Luigi & Linda Dicocco ✓
90 Guernsey Drive
New Windsor, NY 12553

80-1-22 ✓
Edith Anne Dyer ✓
Norman Nowosinski
88 Guernsey Drive
New Windsor, NY 12553

80-1-23 ✓
John & Pamela Barth ✓
86 Guernsey Drive
New Windsor, NY 12553

80-1-24 ✓
Robert & Rose Jurik ✓
84 Guernsey Drive
New Windsor, NY 12553

80-1-25 ✓
Roland & Leslie Motard ✓
82 Guernsey Drive
New Windsor, NY 12553

80-2-1 ✓
Robert & Rosemarie Meyers ✓
217 Butterhill Drive
New Windsor, NY 12553

80-2-2 ✓
Peter & Ellen Chiavaro ✓
219 Butterhill Drive
New Windsor, NY 12553

80-2-3 ✓
Robert & Angela Donaldson ✓
221 Butterhill Drive
New Windsor, NY 12553

80-2-4 ✓
Philip & Irene Hernandez ✓
84 Creamery Drive
New Windsor, NY 12553

80-2-5 ✓
Gerald Jr. & Rose Marie Bohr ✓
86 Creamery Drive
New Windsor, NY 12553

80-2-6 ✓
Gary & Theresa Hall ✓
88 Creamery Drive
New Windsor, NY 12553

80-2-7 ✓
Andres & Deirdre Washington
90 Creamery Drive
New Windsor, NY 12553

80-2-8 ✓
Frank & Gayann Puleo
92 Creamery Drive
New Windsor, NY 12553

80-2-9 ✓
Joseph Olivo
Cynthia Weiss
94 Creamery Drive
New Windsor, NY 12553

80-2-10 ✓
Gloria Feinstein
335 Butternut Drive
New Windsor, NY 12553

80-2-11 ✓
Charles & Raelynn Moore
333 Butternut Drive
New Windsor, NY 12553

80-2-12 ✓
Richard & Carol Keber
331 Butternut Drive
New Windsor, NY 12553

80-2-13 ✓
Craig & Patricia Wood
329 Butternut Drive
New Windsor, NY 12553

80-2-14 ✓
Keith & Colleen Schaefer
327 Butternut Drive
New Windsor, NY 12553

80-2-15 ✓
Joseph & Audrey Addo
325 Butternut Drive
New Windsor, NY 12553

80-3-1 ✓
Paul Decker
Luann Serrano
323 Butternut Drive
New Windsor, NY 12553

80-4-1 ✓
Brian & Kathleen Doyle
202 Butterhill Drive
New Windsor, NY 12553

80-4-2 ✓
Peter Stukonis
Margaret Elstob
204 Butterhill Drive
New Windsor, NY 12553

80-4-3 ✓
Roy & Cynthia Gutshall
705 Mara Drive
Blue Bell, PA 19422

80-4-4 ✓
Ava & Herbert Benjamin
208 Butterhill Drive
New Windsor, NY 12553

80-4-5 ✓
Anthony DiLorenzo
Linda Pulz
210 Butterhill Drive
New Windsor, NY 12553

80-4-6 ✓
John Fox
212 Butterhill Drive
New Windsor, NY 12553

80-4-7 ✓
John Guido
Leslie Hynes
214 Butterhill Drive
New Windsor, NY 12553

80-4-8 ✓
Donald & Donna Bigi
216 Butterhill Drive
New Windsor, NY 12553

80-7-1 ✓
Rochelle Amigo
53 Guernsey Drive
New Windsor, NY 12553

80-7-2 ✓
Dominick, Iola & Jennie Vinci
497 Franklin Street
Rye Brook, NY 10573

80-7-3 ✓
Dusan Milko
Milkova Valeria
49 Guernsey Drive
New Windsor, NY 12553

80-7-4 ✓
Nicholas Morris
Melissa Riggins
47 Guernsey Drive
New Windsor, NY 12553

80-7-5 ✓
John Carpenter
272 Quassaick Avenue
New Windsor, NY 12553

80-7-7 ✓
Kevin & Kim White
41 Guernsey Drive
New Windsor, NY 12553

80-7-9 ✓
James & Diane Smith
37 Guernsey Drive
New Windsor, NY 12553

80-8-1 ✓
Anthony & Lisa Albarino
100 Creamery Drive
New Windsor, NY 12553

78-6-1 ✓
James Dietz
220 Butterhill Drive
New Windsor, NY 12553

78-6-2 ✓
Dennis & Erin Craig
78 Creamery Drive
New Windsor, NY 12553

78-6-21 ✓
Jean Kelley
317 Butternut Drive
New Windsor, NY 12553

78-6-22 ✓
Michael & Barbara Burge
319 Butternut Drive
New Windsor, NY 12553

78-6-23

David & Cathy Ann Principato ✓
321 Butternut Drive
New Windsor, NY 12553

78-9-25

Steven & Carol Lynn Radich ✓
27 Guernsey Drive
New Windsor, NY 12553

78-9-1

Joseph & Milagros Arce ✓
322 Butternut Drive
New Windsor, NY 12553

78-9-2

Jan & Angelina Rosteck ✓
320 Butternut Drive
New Windsor, NY 12553

78-9-3

Mary Benivegna ✓
318 Butternut Drive
New Windsor, NY 12553

78-9-18

John & Lisa Walsh ✓
213 Dairy Lane
New Windsor, NY 12553

78-9-19

Gerard & Cheryl Walker ✓
215 Dairy Lane
New Windsor, NY 12553

78-9-20

Herman & Dorothy Soloway ✓
148 Sussex Street
Jersey City, NJ 07302

78-9-21

Michael & Maureen Busweiler ✓
219 Dairy Lane
New Windsor, NY 12553

78-9-22

Robert & Perry Smith ✓
221 Dairy Lane
New Windsor, NY 12553

78-9-23

Raymond & Laura McCormack ✓
223 Dairy Lane
New Windsor, NY 12553

OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK

Prelim.
June 11, 2001
#01-17.

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

**APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (845) 563-4630 TO
MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.**

DATE: 4/20/01

APPLICANT: Maria DeFazio
326 Butternut Drive
New Windsor, NY 12553

561-17092

COPY

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE:

FOR : Existing 8x12 shed

LOCATED AT: 326 Butternut Drive

ZONE: CL Sec/ Blk/ Lot: **80-1-15**

DESCRIPTION OF EXISTING SITE: Existing one family house

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. Existing shed does not meet minimum 10ft side yard set-back.

Richard J. Jasi
BUILDING INSPECTOR

PERMITTED: 10

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: CL USE: 48-14-A-1-B

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

REQ'D SIDE YD:

1ft

9ft

REQ'D TOTAL SIDE TD:

REQ'D REAR YD:

REQ'D FRONTAGE:

MAX BLDG HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS

IMPORTANT

YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and underslab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and perc test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

RECEIVED

APR 18 2001

Town of New Windsor Bldg. Dept.

FOR OFFICE USE ONLY:

Building Permit #: 2001-306

AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS REQUIRED BEFORE PERMIT WILL BE ISSUED

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises MARIA S. DEFazio / GAIL E. STEINHEIMER

Address 326 Butternut Dr. Phone # 845 5617092

Mailing Address NEW Windsor, N.Y. 12553 Fax # _____

Name of Architect _____

Address _____ Phone _____

Name of Contractor _____

Address _____ Phone _____

State whether applicant is owner, lessee, agent, architect, engineer or builder _____

If applicant is a corporation, signature of duly authorized officer _____

(Name and title of corporate officer)

1. On what street is property located? On the _____ side of Butternut Dr
(N, S, E or W)
and _____ feet from the intersection of _____

2. Zone or use district in which premises are situated _____ Is property a flood zone? Y _____ N _____

3. Tax Map Description: Section 80 Block 1 Lot 15

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy _____ b. Intended use and occupancy _____

5. Nature of work (check if applicable) ☐ New Bldg. ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☒ Other

6. Is this a corner lot? no existing shed
8x12

7. Dimensions of entire new construction. Front _____ Rear _____ Depth _____ Height _____ No. of stories _____

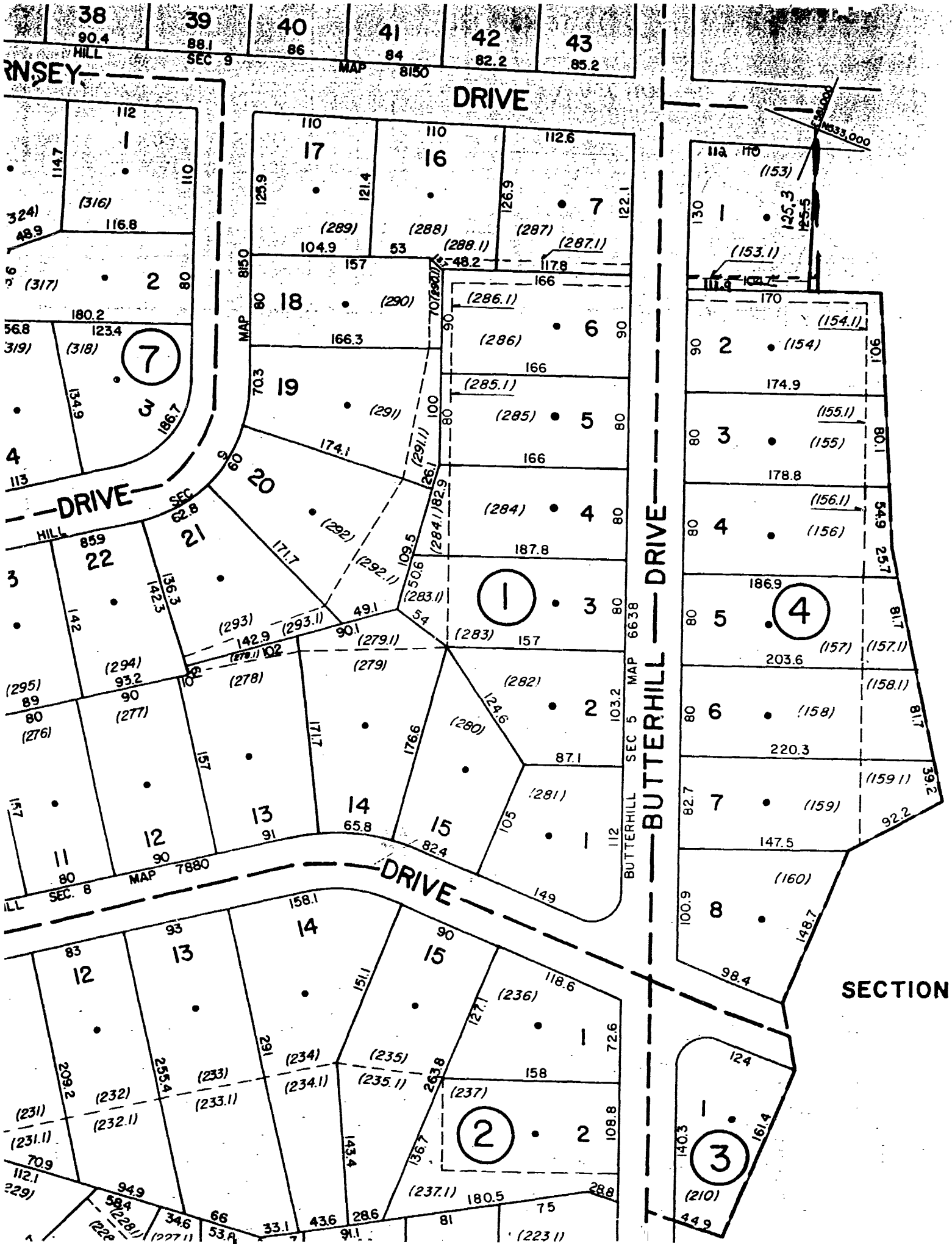
8. If dwelling, number of dwelling units: _____ Number of dwelling units on each floor _____

Number of bedrooms _____ Baths _____ Toilets _____ Heating Plant: Gas _____ Oil _____
Electric/Hot Air _____ Hot Water _____ If Garage, number of cars _____

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use _____

10. Estimated cost \$1,000 Fee \$50.00 chk# 5155
50.-
4/18/01

PAID



PUBLIC NOTICE OF HEARING
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following Proposition:

Appeal No. 17.

Request of Maria DeTazio

for a VARIANCE of the Zoning Local Law to Permit:

existing shed w/ less than the allowable side
yard;

being a VARIANCE of Section 48-12 - Table of Use of Bulk Regs. - Col. F.

for property situated as follows:

326 Butternut Drive, New Windsor, N.Y.

known and designated as tax map Section 80, Blk. 1 Lot 15

PUBLIC HEARING will take place on the 25th day of June, 2001 at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 o'clock P.M.

Lawrence Torley
Chairman

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE

01-17.

Date: 06/12/01.

I. ✓ Applicant Information:

- (a) MARIA S. DEFazio 326 Butternut Dr. New Windsor, N.Y. 5617092
(Name, address and phone of Applicant) (Owner)
- (b) _____
(Name, address and phone of purchaser or lessee)
- (c) _____
(Name, address and phone of attorney)
- (d) _____
(Name, address and phone of contractor/engineer/architect)

II. Application type:

- ☐ Use Variance ☐ Sign Variance
- ☒ Area Variance ☐ Interpretation

III. ✓ Property Information:

- (a) CL 326 Butternut Dr. New Windsor, NY 80-1-15 82.4 x 176.6 ±
(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.? NC
- (c) Is a pending sale or lease subject to ZBA approval of this application? YES
- (d) When was property purchased by present owner? 1989
- (e) Has property been subdivided previously? No
- (f) Has property been subject of variance previously? No
If so, when? _____
- (g) Has an Order to Remedy Violation been issued against the property by the Building/Zoning Inspector? No
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail: No

IV. Use Variance. H/A.

- (a) Use Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____, to allow:
(Describe proposal) _____

(b) The legal standard for a "use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

(c) Applicant must fill out and file a Short Environmental Assessment Form (SEQR) with this application.

(d) The property in question is located in or within 500 ft. of a County Agricultural District: Yes ___ No X.

If the answer is Yes, an agricultural data statement must be submitted along with the application as well as the names of all property owners within the Agricultural District referred to. You may request this list from the Assessor's Office.

✓V. Area variance:

(a) Area variance requested from New Windsor Zoning Local Law, Section 48-12, Table of Use/Bulk Regs., Col. F.

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area _____	_____	_____
Min. Lot Width _____	_____	_____
Reqd. Front Yd. _____	_____	_____
Reqd. Side Yd. <u>10 ft.</u>	<u>1 ft.</u>	<u>9 ft.</u>
Reqd. Rear Yd. _____	_____	_____
Reqd. Street Frontage* _____	_____	_____
Max. Bldg. Hgt. _____	_____	_____
Min. Floor Area* _____	_____	_____
Dev. Coverage* _____ %	_____ %	_____ %
Floor Area Ratio** _____	_____	_____
Parking Area _____	_____	_____

* Residential Districts only

** No-residential districts only

✓(b) In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3)

whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created. Describe why you believe the ZBA should grant your application for an area variance:

No determination, health safety and
welfare of the neighborhood or community

(You may attach additional paperwork if more space is needed)

VI. Sign Variance: N/A.

(a) Variance requested from New Windsor Zoning Local Law, Section _____, Regs.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1	_____	_____	_____
Sign	_____	_____	_____
Sign 3	_____	_____	_____
Sign	_____	_____	_____
	_____	_____	_____

(b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or over size signs.

(c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

VII. Interpretation. N/A.

(a) Interpretation requested of New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

(b) Describe in detail the proposal before the Board:

✓ VIII. Additional comments:

(a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or

upgraded and that the intent and spirit of the New Windsor Zoning is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

(See Photographs submitted)

IX. Attachments required:

- ☒ Copy of referral from Bldg./Zoning Insp. or Planning Bd.
- ☒ Copy of tax map showing adjacent properties.
- ☒ *N/A* Copy of contract of sale, lease or franchise agreement.
- ☒ Copy of deed and title policy.
- ☒ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☒ *N/A* Copy(ies) of sign(s) with dimensions and location.
- ☒ Two (2) checks, one in the amount of \$50.00 and the second check in the amount of \$300.00, each payable to the TOWN OF NEW WINDSOR.
- ☒ Photographs of existing premises from several angles.

X. Affidavit.

Date: 6/12/01

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE)

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/or information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

x Patricia S. Corsetti
(Applicant)

Sworn to before me this

12th day of June, 2001.

XI. ZBA Action:

(a) Public Hearing date: _____

PATRICIA A. CORSETTI
Notary Public, State of New York
No. 01BA4904434
Qualified in Orange County
Commission Expires August 31, 2001.